

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUSHIDO CAPITAL MASTER FUND,

Plaintiff,

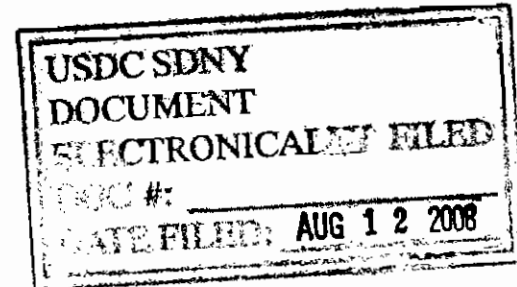
-against-

BIONUTRICS, INC.,

Defendant.

No. 08 Civ. 146 (LTS)(MHD)

ORDER

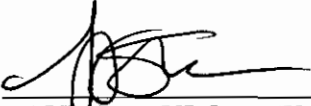


The attorneys for the parties have advised the Court that this action has been or will be settled. Accordingly, it is hereby ORDERED that this action, including all pending motions, is discontinued without costs to either party, and without prejudice to restoration of the action to the calendar of the undersigned if settlement is not achieved within thirty (30) days of the date of this Order. If a party wishes to reopen this matter or extend the time within which it may be settled, the party must make a letter application before this thirty (30)-day period expires.

The parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they shall submit the settlement agreement to the Court to be so ordered.

SO ORDERED.

Dated: New York, New York
August 11, 2008


LAURA TAYLOR SWAIN
United States District Judge